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Examiner Vanessa Ford	USPTO Art Unit 1645	(571) 273-0857	(571) 272-0857
From:	Marc E. Brown	<i>Direct Phone:</i>	(310) 788-1569
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<i>Sent By:</i>	Jessica Brown	<i>Direct Phone:</i>	(310) 284-6173
<i>Client/Matter/Tkpr:</i>	38586-329-6806	<i>Original to Follow by Mail:</i>	Yes
Re:	Application Serial No. 09/412,297	Number of Pages, Including Cover:	<u>18</u>

Message: Please see 1) Response to Advisory Action Dated September 13, 2004; and 2) Second Supplemental Information Disclosure Statement, both of which are also being mailed to the PTO today.

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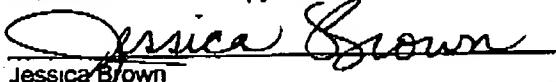
Docket No.: 38586-329

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 33401
Ting, Kang : Confirmation Number: 9486 **RECEIVED**
Serial No.: 09/412,297 : Group Art Unit: 1645 **CENTRAL FAX CENTER**
Filed: October 5, 1999 : Examiner: Ford, Vanessa L **NOV 12 2004**
For: NELL-1 ENHANCED BONE MINERALIZATION

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that on Nov. 12, 2004, which is the date I am signing this certificate, I am transmitting this response via facsimile to (703) 872-9306, known to me to be the facsimile number of Art Unit 1645, and directly to Examiner Ford at (571) 273-0857, known to me to be the facsimile number of Examiner Vanessa L. Ford. A copy of the confirmation being kept for recordkeeping purposes.


Jessica Brown**RESPONSE TO ADVISORY ACTION DATED SEPTEMBER 13, 2004**

By Facsimile: (571) 273-0857 (Ex. Ford)

By Facsimile: (703) 872-9306 (Art Unit 1645)

This letter responds to the Advisory Action, mailed September 13, 2004. The Examiner states that the reply filed August 4, 2004 fails to place the application in condition for allowance and notes that the amendment will not be entered.

Applicant believes the Examiner may not have received the Request for Continued Examination (RCE), filed by applicant in this case on September 7, 2004, prior to issuing the present Advisory Action. Applicant requests confirmation that the amendment and RCE have been entered and are being considered by the Examiner.

Applicant also submits herewith a further supplemental Information Disclosure Statement to disclose the two references cited in the International Search Report (attached

11-12-04 01:21pm From-MCDERMOTT WILL & EMERY LLP

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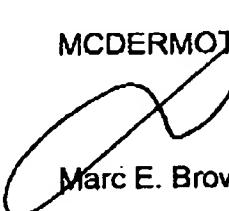
64693-054

herewith) for PCT Application Serial No. PCT/US03/29281, another application regarding the same technology by the same inventor.

Respectfully submitted,

Date: November 12, 2004

MCDERMOTT WILL & EMERY LLP


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